In The United States District Court For The Northern District Of Texas Dallas Division

Marguerite Hoffman,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 3:10-cv-0953-D
	§	
L&M Arts, David Martinez and	§	
Studio Capital, Inc.,	§	
	§	
Defendants.	§	

DEFENDANTS STUDIO CAPITAL'S AND DAVID MARTINEZ'S JOINDER IN DEFENDANT L&M ARTS'S EMERGENCY MOTION TO AMEND SCHEDULING ORDER AND RESCHEDULE TRIAL SETTING

Defendants Studio Capital, Inc. and David Martinez join in L&M Arts's Emergency Motion under Federal Rule of Civil Procedure 16(b) and Local Rule 56.2(b) to amend the Scheduling Order to permit Defendants to take additional discovery, to file a second summary judgment motion and to reschedule the trial setting, dated September 28, 2012 (Dkt. No. 372, the "Motion"), and submit that the Motion should be granted for the reasons set forth therein.

Dated: September 28, 2012 Respectfully submitted,

JACKSON WALKER L.L.P.

/s/ Kurt Schwarz

Gordon M. Shapiro Texas Bar No. 18110600 Kurt Schwarz Texas Bar No. 17871550 Stephanie C. Sparks Texas Bar No. 24042900 901 Main Street, Suite 6000 Dallas, Texas 75202 Telephone: (214) 953-6000

Telephone: (214) 953-6000 Facsimile: (214) 953-5822

CLEARY GOTTLIEB STEEN & HAMILTON LLP

Jonathan I. Blackman (pro hac vice) Howard S. Zelbo (pro hac vice) David H. Herrington (pro hac vice) Melissa K. Marler (pro hac vice) Jamie R. Rietema (pro hac vice) Esti T. Tambay (pro hac vice) One Liberty Plaza New York, New York 10006

Telephone: (212) 225-2000 Facsimile: (212) 225-3999

ATTORNEYS FOR DEFENDANTS STUDIO CAPITAL, INC. AND DAVID MARTINEZ

CERTIFICATE OF SERVICE

The undersigned certifies that copies of the foregoing were served on the attorneys of record for all parties via the Court's ECF system.

/s/ Kurt Schwarz
Kurt Schwarz